

420
JFM
12/19/02

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, Box AF, on December 12, 2002.

Tami M. Procopio
Tami M. Procopio

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In the application of:

Tracy D. WILKINS, *et al.*

Serial No.: 09/545,772

Filing Date: 10 April 2000

For: RECOMBINANT TOXIN A PROTEIN
CARRIER FOR POLYSACCHARIDE
CONJUGATE VACCINES

Examiner: V. Ford

Group Art Unit: 1645

RECEIVED
DEC 19 2002

TECH CENTER 1600/2900

RECEIVED
DEC 19 2002

TECH CENTER 1600/2900

NOTICE OF APPEAL

BOX AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

All finally rejected claims (specifically, claims 1-8, 13-15, 19, 20, 23-26, 28-31, 33, 36-39, and 62-66) in the decision of the Primary Examiner dated 12 July 2002 are hereby appealed to the Board of Appeals.

- Appeal Fee not Required.
- Attached is the Appeal fee of \$.
- Please charge the Appeal Fee of \$320.00 to Deposit Account No. 03-1952.

12/18/2002 CV0111 00000030 031952 09545772

01 FC:1401 320.00 CH

sd-123678

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this Notice of Appeal, or to credit any overpayment, to **Deposit Account No. 03-1952**. A duplicate copy of this Notice is enclosed for that purpose.

Respectfully submitted,

Dated: December 12, 2002

By:


Kate H. Murashige
Registration No. 29,959

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5112
Facsimile: (858) 720-5125